



**Massachusetts Department of Housing and Community Development
Division of Public Housing and Rental Assistance**

To: Department of Mental Health, LHAs Administering the DMH-RSP, DMH Service Providers
From: Chrystal Kornegay
Date: February 23, 2016
RE: Universal Waiver of Inspection Requirements under 760 CMR § 38.04

Pursuant to 760 CMR § 38.04, for ease of implementation of the Department of Mental Health Rental Subsidy Program, anything to the contrary in 760 CMR Ch. 38 notwithstanding, the provisions of 760 CMR § 38.04 (1) and (2) requiring an inspection and approval by a Local Housing Authority (LHA) and a certification by the local board of health or other code enforcement agency at initial occupancy that the unit complies with State Sanitary code and where required, with state and local building and fire codes shall be waived in all circumstances. Instead, units may be deemed eligible units solely upon passing inspection and approval by a DMH Licensing Compliance Officer III. The DMH licensing officer shall inspect and approve units for the DMH-RSP utilizing all applicable DMH protocols and inspections tools. This universal waiver shall be in effect until further notice by the Department or until regulations containing similar provisions are promulgated by the Department.